IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION ST.NO.22845 OF 2004
IN
FIRST APPEAL NO.760 OF 2004

Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Shri A.V.Anturkar for the Applicants.

Smt.Rupali Deo for the Respondent.

CORAM : ABHAY S.OKA, J.

DATED : 26th August, 2004.

P.C.:

1. Rule. Counsel appearing for the Respondent waives service. Heard forthwith.

2. The learned trial Judge has recorded a finding that the Appellants/Plaintiffs have failed to prove that the property in dispute is in their possession and they are the owners thereof. Considering the findings recorded by the Court, no case is made out for grant of interim relief. However, any transaction made by the Respondent will be entirely subject to the final result of the Appeal.

3. Subject to the observation made above, the Civil Application stands rejected.

4. Certified copy expedited.

Judge.